

Guide for Industry: Excluding and Restricting Food Employees for Establishments Serving the General Population

Health Status of Employee	Exclude or Restrict?	Notify Local Board of Health?	Employee Back to Work?
Employee has persistent sneezing, coughing, runny nose which causes discharges from the eyes, nose or mouth	Restrict	No	Employee can return to normal duties once the symptoms have stopped.
Experiencing one or more of the following symptoms: diarrhea, vomiting, fever, sore throat with fever, open sore [*]	Restrict	No, unless more than one employee is ill with similar symptoms or employee was source of illness in others	If ill employee did not cause an illness in someone else, the employee can work once symptoms have stopped. If the employee is suspected of being part of a foodborne illness outbreak, written medical documentation and regulatory authority approval must be obtained before resuming normal duties. If an open sore can be covered with a water tight covering, the employee can work as normal.
Diagnosed with one of these highly contagious diseases: <i>Salmonella</i> Typhi, <i>Shigella</i> spp., <i>E. coli</i> O157:H7, or Hepatitis A	Exclude	Yes	If symptoms are present, the employee must wait until they resolve. The employee will also need written medical documentation and approval from the regulatory authority.
Diagnosed with any other disease which is transmissible through food such as Salmonellosis, Giardiasis and Campylobacteriosis (for complete list see 590.003(C)(5)-(14))	Restrict	Yes	If symptoms are present, the employee must wait until they resolve. The employee will also need written medical documentation and approval from the regulatory authority.
Employee was ill with <i>Salmonella</i> Typhi within the last three months.	Exclude	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee was ill with <i>Shigella</i> spp., <i>E. coli</i> O157:H7 within the past month	Exclude	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee was ill with any other disease which is transmissible through food within the past month (see 590.003(C)(5)-(14) and consult Board of Health.)	Restrict	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee has become jaundiced within the past 7 days.	Exclude	Yes	The employee must be excluded for at least 7 days from the onset of jaundice. After 7 days, the employee can work if free of all symptoms, has written medical documentation and approval from the regulatory authority.
Employee is jaundiced but it started more than 7 days ago.	Restrict	Yes	The employee must be free of all symptoms and must have written medical documentation and approval from the regulatory authority.
Employee lives with someone who was diagnosed with Hepatitis A or <i>Salmonella</i> Typhi	Exclude	Yes	For Hepatitis A, the employee will need to be excluded for 28 days unless he receives Immune Globulin within 2 weeks of exposure. For <i>Salmonella</i> Typhi, employee will need to provide medical documentation and approval from the regulatory authority

^{*} If an employee has symptoms due to a chronic condition which is not contagious, such as Crohn's Disease, irritable bowel syndrome or ulcerative colitis, the person in charge should have the employee provide medical documentation which confirms this information. If an employee has diarrhea and lives with someone who was diagnosed with an illness which is transmissible through food, the regulatory authority must be notified and the employee will need to provide medical documentation that they are free of the illness of concern.

How do I know if I serve the “general population”?

Most food service establishments serve the general population. Those that do not serve the general population are food establishments which operate in facilities such as hospitals, nursing homes, daycare centers, and assisted living centers. Such establishments will have more stringent requirements for excluding and restricting ill employees because they are considered to serve a highly susceptible population. A highly susceptible population is a group of people who are more likely than others to experience foodborne disease because they are immunocompromised due to old age, very young age, or a medical condition. For the purposes of the new regulations, a highly susceptible population is considered to be one which is in a **facility** which provides health care or assisted living services, such as a hospital or nursing home, or in a **facility** which provides custodial care to preschool age children such as a day care center. All other food establishments serve the general population.

What is “written medical documentation”?

Written medical documentation, if required, means that the ill employees must have written proof that they are free of any disease which could be transmitted to others through food. In most cases, this will be satisfied by providing copies of lab tests showing negative stool cultures. However, in certain situations, it will require a written note from a licensed doctor, nurse practitioner or physician’s assistant. The written documentation must be provided to the local Board of Health. The local Board of Health can tell you what documentation will be needed in order to have an exclusion or restriction lifted.

Who is the “regulatory authority”?

The regulatory authority is usually the Board of Health in the town in which the establishment is licensed. In some cases, such as a large outbreak, it may be the Massachusetts Department of Public Health.

What does it mean to restrict a food employee?

A restriction means that the food employee may **not** work with exposed food, clean utensils and equipment, clean linens and unwrapped single-service and single-use articles.

What does it mean to exclude a food employee?

If a food employee needs to be excluded, they may not enter any part of the establishment where food and equipment is stored, prepared or served.

Who is responsible for reporting symptoms or illnesses?

The responsibility to report symptoms or illnesses lies with the food employee, and they must be made aware of this requirement when first hired. Symptoms or illnesses must be reported to the person in charge.

What is the role of the person in charge?

The person in charge has many roles. The person in charge must require that employees report any symptoms or illnesses to them and must do everything reasonably possible to insure that employees are complying with this requirement. In addition, when indicated (see chart), the person in charge must exclude the employee from the establishment or restrict the duties of the employee until the medical condition or symptoms resolve. In many instances, the person in charge will also need to notify the local Board of Health that they have an ill employee.

What can the person in charge do to encourage employee compliance with the reporting requirement?

If employees will lose time from work, they may be reluctant to report their illnesses to the management. One way to encourage reporting would be to allow a certain number of paid sick days for each employee. In addition, educating the employees about the importance of not working when sick may help motivate them to be responsible and not work when they might pose a risk to customers or other employees. When possible, the employee should be temporarily assigned to duties which do not involve working with exposed food, clean utensils and equipment, clean utensils, and unwrapped single-service and single-use articles.